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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/025,610	12/26/2001	Arei Kobayashi	011736	4491
23850	7590	11/04/2004	EXAMINER	
ARMSTRONG, KRATZ, QUINTOS, HANSON & BROOKS, LLP 1725 K STREET, NW SUITE 1000 WASHINGTON, DC 20006			NGUYEN BA, PAUL H	
			ART UNIT	PAPER NUMBER
			2176	

DATE MAILED: 11/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/025,610

Applicant(s)

KOBAYASHI ET AL.

Examiner

Paul Nguyen-Ba

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 April 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 April 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Notice to Applicant

1. This action is responsive to applicant's Response to Notice File Missing Parts filed on April 16, 2002.
2. Claims 1-8 have been considered. Claims 1 and 5 are independent claims.

Priority

3. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Drawings

4. Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.121(d)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 101

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. Claims 1-3 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Said claims need to be directed towards a “computer-implemented” method. The language of the claim raises a question as to whether the claim is directed merely to an abstract idea that is not tied to a technological art, environment, or machine which would result in a practical application producing a concrete, useful, and tangible result to form the basis of statutory subject matter under 35 U.S.C. §101.

To expedite a complete examination of the instant application the claims rejected under 35 U.S.C. 101 (nonstatutory) above are further rejected as set forth below in anticipation of applicant amending these claims to place them within the four statutory categories of invention.

Claim Rejections - 35 USC § 112

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 4 and 8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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9. Said claims appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murashita, U.S. Patent No. 6,330,574, in view of Dean et al. ("Dean"), U.S. Patent No. 2002/0152244.

Claims

Murashita/Dean

1. A method for code processing of document data comprising the steps of:

See Murashita Abstract.

encoding a document data written in a description language of an extensible text format to a code data,

See Murashita Title and col. 14, lines 46-54. The Murashita system encodes and compresses the SGML document.

based on a translation table written in a description language of an extensible text format; and processing said code data as said document data based on said translation table,

Murashita teaches encoding a document based on a translation table (col. 15, lines 26-38 *et seq.* → i.e. "tag code table") and processing said code data based on the translation table (col. 16, lines 62-65 *et seq.*), but does not specifically teach *a translation table written in a description language of an extensible text format.*

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However, Dean teaches auxiliary lookup tables encoded as extensible text format files for the purpose of further expanding the definition of the DTD (see [0157]). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the teaching of Murashita with the teachings of Dean to include a translation table written in a description language of an extensible text format for the purpose of further expanding the definition of the DTD.

said translation table defining link information of other translation tables, defining a code length and a code assigned to items of said link information, an element name, an element value of said element name, an attribute name designated in said element name, an attribute name, and defining a code attribute value of said length and a code assigned for designate parentage structure between one element name and other element name.

Murashita, in view of Dean, teaches translation tables encoded as extensible text format files for further expanding the definition of the DTD to include defining code length as well as the legal building blocks of an XML document (see Dean [0157] → DTD defines the document structure with a list of elements, attributes, etc.; see also col. 4, lines 51-56; col. 21, lines 53 *et seq.*), but does not specifically teach defining a code assigned to items of said link information and defining a code assigned for designate parentage structure between one element name and other element name. However, it was commonly known and would have been obvious at the time the invention was made to a person having ordinary skill in the art to define a code for link information (such as the XML Linking Language (XLink), which allows elements to be inserted into XML documents) in order to create and describe links between resources and to define a code for parentage structure between elements for the purpose of reducing the amount of data to be transmitted.

2. ...wherein said items defined in said translation table used in said processing step are a subset of said items defined in said translation table used in said encoding step.

See Murashita col. 17, lines 1-12; col. 23, lines 60-67. The items defined in the processing step are a set whose members are members of the encoding step set.

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3. ...wherein said encoding step encodes only the items that are defined in said translation table.

See Murashita col. 3, lines 25-33. The system processes the code defined in the document instance on the basis of the tag code table (i.e. translation table”).

4. ...wherein said encoding step includes adding of an occupancy data which indicates a length occupied by said item to a code indicating said item, and wherein said processing step decodes from said code data of a position that skips said occupancy data length of said code, in case that said code not defined in said translation table exists in said code data, without processing said code.

See Murashita col. 23, lines 1-4; col. 24, lines 18-67 *et seq.*, and col. 30 lines 10-47.

Regarding independent claim 5, please refer to the rationale relied upon to reject independent claim 1.

Regarding claim 6, please refer to the rationale relied upon to reject claim 2.

Regarding claim 7, please refer to the rationale relied upon to reject claim 3.

Regarding claim 8, please refer to the rationale relied upon to reject claim 4.

Conclusion

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Nguyen-Ba whose telephone number is (571) 272-4094. The examiner can normally be reached from 10:30 am - 7:00 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PNB



**SANJIV SHAH
PRIMARY EXAMINER**